

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
MONDAY, MAY 23, 2005 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING
WITH THE READING AND ADOPTION:

* ITEM-S400: Oyster Shell Rezone Located at 444 Pearl Street, La Jolla.

(See City Manager Report CMR-05-061. La Jolla Community Plan Area.
District 1.)

CITY COUNCIL’S RECOMMENDATION:

Adopt the following ordinance which was introduced on 3/15/2005, Item-S503,
Subitem D. (Council voted 9-0):

(O-2005-107 Cor. Copy)

Changing 0.11 acres, located at 444 Pearl Street, in the La Jolla Community Plan
Area, in the City of San Diego, California, from the Zone 4 of the La Jolla
Planned District into the Zone 5 of the La Jolla Planned District, as defined by
San Diego Municipal Code Section 103.1202.

ADOPTION AGENDA, CONSENT ITEMS

ORDINANCES TO BE INTRODUCED:

- * ITEM-S401: First Amendment to Right-of-Way Use Agreement with NextG Networks of California, Inc.

(See City Manager Report CMR-05-082.)

(Continued from the meeting of 5/16/2005, Item 50, at the request of Councilmember Frye, for further review.)

CITY MANAGER'S RECOMMENDATION:

Introduce the following ordinance:

(O-2005-111)

Introduction of an Ordinance authorizing the City Manager to execute, for and on behalf of the City of San Diego, a First Amendment to the Nonexclusive Right-of-Way Use Agreement between the City of San Diego and NextG Networks of California, Inc., under the terms and conditions set forth in the First Amendment to the Nonexclusive Right-of-Way Use Agreement.

Staff: Marc Jaffe – (619) 533-4725
Paul G. Edmonson – Deputy City Attorney

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-S402: Bike to Work Day.

COUNCILMEMBER ATKINS' RECOMMENDATION:

Adopt the following resolution:

(R-2005-1216)

Commending those citizens who use their bicycles as a means of transportation and recreation, and encouraging all San Diegans to consider riding their bicycles to work whenever possible;

Proclaiming May 20, 2005, to be "Bike to Work Day" in the City of San Diego.

* ITEM-S403: Salome Court No. 1 Day.

COUNCILMEMBER YOUNG'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-1198)

Proclaiming June 4, 2005, to be "Salome Court No. 1 Day" in the City of San Diego in recognition of its 80th anniversary and in appreciation of its efforts to improve the quality of life for many San Diegans.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

RESOLUTIONS:

ITEM-S404: Consideration of nominees for appointment to the San Diego Unified Port District Board of Commissioners.

(See memorandum from Mayor Murphy and Deputy Mayor Zucchet dated 5/16/2005; memorandum from Councilmember Atkins dated 3/10/2005; and memorandum from Councilmember Frye dated 4/6/2005, with resumes attached.)

MAYOR MURPHY'S RECOMMENDATION:

Consider the following list of nominees and select **one** to fill vacancy on the San Diego Unified Port District Board of Commissioners:

NOMINEE

NOMINATED BY

Susan E. Atkins
Resident of Point Loma, District 2

Councilmember Toni Atkins

Bryan B. Min
Resident of Rancho Bernardo, District 5

Councilmember Donna Frye

Victor A. Vilaplana
Resident of La Jolla, District 1

Mayor Dick Murphy and Deputy
Mayor Michael Zucchet

TODAY'S ACTION IS:

(R-2005-1206)

Adoption of a Resolution making **one** appointment to the San Diego Unified Port District Board of Commissioners, for a term ending January 2, 2009.

NOTE: Council Policy 000-13, as amended on 12-3-84, provides for the following procedure:

1. Mayor calls on each candidate whose name appears on the docket as a nominee to make a presentation to the Council in support of his candidacy for appointment (maximum of 3 minutes presentation each).
2. The Mayor calls on members of the Council to ask brief questions of any of the candidates concerning either the presentation or matters contained in their application filed with the City.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS (Continued)

RESOLUTIONS: (Continued)

ITEM-S404: (Continued)

3. The City Clerk provides ballots to the Council and each Councilmember votes for the candidates he/she feels to be most qualified for each vacancy and returns the ballots to the City Clerk. Each Councilmember has one vote per vacancy.
4. The candidates receiving the highest number of votes (minimum of five) shall be appointed to the vacancy.
5. If no candidates receive a minimum of five votes, balloting continues until there are sufficient candidates receiving a majority to fill those vacancies. In a tie among the top vote getters, those candidates run off for the vacancies. If an insufficient number of candidates receive a majority of votes to fill all vacancies, a run off will be held among the remaining candidates to fill the remaining vacancies.

PUBLIC NOTICES:

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-S405: ARGUMENTS SUPPORTING OR OPPOSING PROPOSITIONS

For propositions approved by the Council for submittal to the qualified voters of the City of San Diego at the Special Election to be held on Tuesday, July 26, 2005, the City Clerk has fixed 12:00 p.m. (noon) on Friday, May 27, 2005, as a reasonable date prior to such election after which no arguments for or against City Propositions may be submitted to the Clerk.

Any argument for or against any City proposition shall not exceed 300 words in length and may be filed by the Council, or any member or members of the Council authorized by the Council, or the bona fide sponsors or proponents of the measure, or any bona fide association of citizens or individual voter, or any combination of voters and associations.

All arguments must be accompanied by a statement signed by each author that the argument is true and correct to the best of his/her knowledge and belief. (Forms for this statement are available in the Office of the City Clerk.)

An argument shall not be accepted unless accompanied by the name or names of the person or persons submitting it, or if submitted on behalf of an organization, the name of the organization and the name of at least one of its principal officers. No more than five signatures shall appear with any argument submitted. In case any argument is signed by more than five persons, the signatures of the first five shall be printed.

Arguments may be changed or withdrawn by their proponents until and including the date fixed by the City Clerk.

Arguments shall be submitted to the City Clerk at the Office of the City Clerk, 2nd Floor, City Administration Building, 202 "C" Street, San Diego, California, 92101.